

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - November 18, 1970

Appeal No. 10599 Regina Chandler, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried, with Messrs. William F. McIntosh and Arthur B. Hatton dissenting, the following Order of the Board was entered at the meeting of November 24, 1970.

EFFECTIVE DATE OF ORDER - Jan. 6, 1971

ORDERED:

That the appeal for variance from the use provisions of the R-4 District to permit a beauty shop at 1716 - 9th Street, NW., Lots 91 and 803, Square 363, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. The property is improved with an apartment house.
3. The appellant proposes to establish a beauty shop in the first floor front apartments, which consists of two large rooms.
4. Appellant alleged that she has an existing beauty shop at 1712 - 9th Street, NW., which has been there for 35 years. The Redevelopment Land Agency has taken 1712 - 9th Street for the purposes of tearing down the existing buildings and reconstructing them for the use of displaced persons.
5. Appellant further alleged that she appeared before this Board in October requesting that she be allowed to relocate her beauty shop in a building across the street which was formerly used for a grocery store. However, she learned prior to the public hearing that the Redevelopment Land Agency was considering tearing down this building also. Therefore, she is now requesting the use of the subject property as a beauty shop.

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6. The subject property was purchased in 1944 when it was zoned C-1. The property was used as a dormitory for girls and later converted to an apartment house.

7. Appellant also alleged that she is only moving her beauty shop two doors down from 1712 to 1716 - 9th Street, NW. There will be no exterior alterations to 1716 since it is on an alley and already has an existing outside window.

8. No opposition to the granting of this appeal was registered at the public hearing.

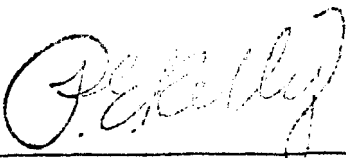
OPINION:

We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: 
PATRICK E. KELLY
Secretary of the Board